

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK
ROCHESTER DIVISION

MEDGRAPH, INC.,)	
)	
Plaintiff,)	
)	CASE NO. 6:09-cv-06610-DGL-MWP
v.)	
)	
MEDTRONIC, INC.)	
)	
Defendant.)	

MOTION TO SEAL DOCUMENTS

Plaintiff, Medgraph, Inc., hereby moves the Court to permit the filing under seal of the following documents:

- 1) The second paragraph of section five beginning on page 8 of Plaintiff's Reply to Defendant's opposition to Plaintiff's Second Motion to Compel Medtronic To Produce Discovery pursuant to Rule 37 of Fed. R. Civ. P.; and
- 2) Exhibits A-D to the Reply.

As grounds for the motion to seal, Plaintiff states that the above-identified documents includes testimony of Defendant's 30(b)(6) witness regarding documents that were designated by the Defendant as "Confidential" or "Highly Confidential – Attorney's Eyes Only" and the documents designated by the Defendant as Confidential" or "Highly Confidential – Attorney's Eyes Only" pursuant to a protective order entered in this case.

For the foregoing reasons, Plaintiff respectfully requests that an order be entered placing the accompanying documents under seal.

Dated: August 1, 2011

Respectfully submitted,

s/Dariusz Keyhani

Dariusz Keyhani

Sidney R. Bresnick

MEREDITH & KEYHANI, PLLC

330 Madison Avenue

6th Floor

New York, New York 10017

Telephone (212) 760-0098

Direct Dial: (646) 536-5692

Facsimile (212) 202-3819

dkeyhani@meredithkeyhani.com

sbresnick@meredithkeyhani.com

Attorneys for Plaintiff

